

MEGGAN HERINGTON, AICP, EXECUTIVE DIRECTOR

PLANNING AND COMMUNITY DEVELOPMENT

TO: El Paso County Planning Commission
Timothy L. Trowbridge, Chair

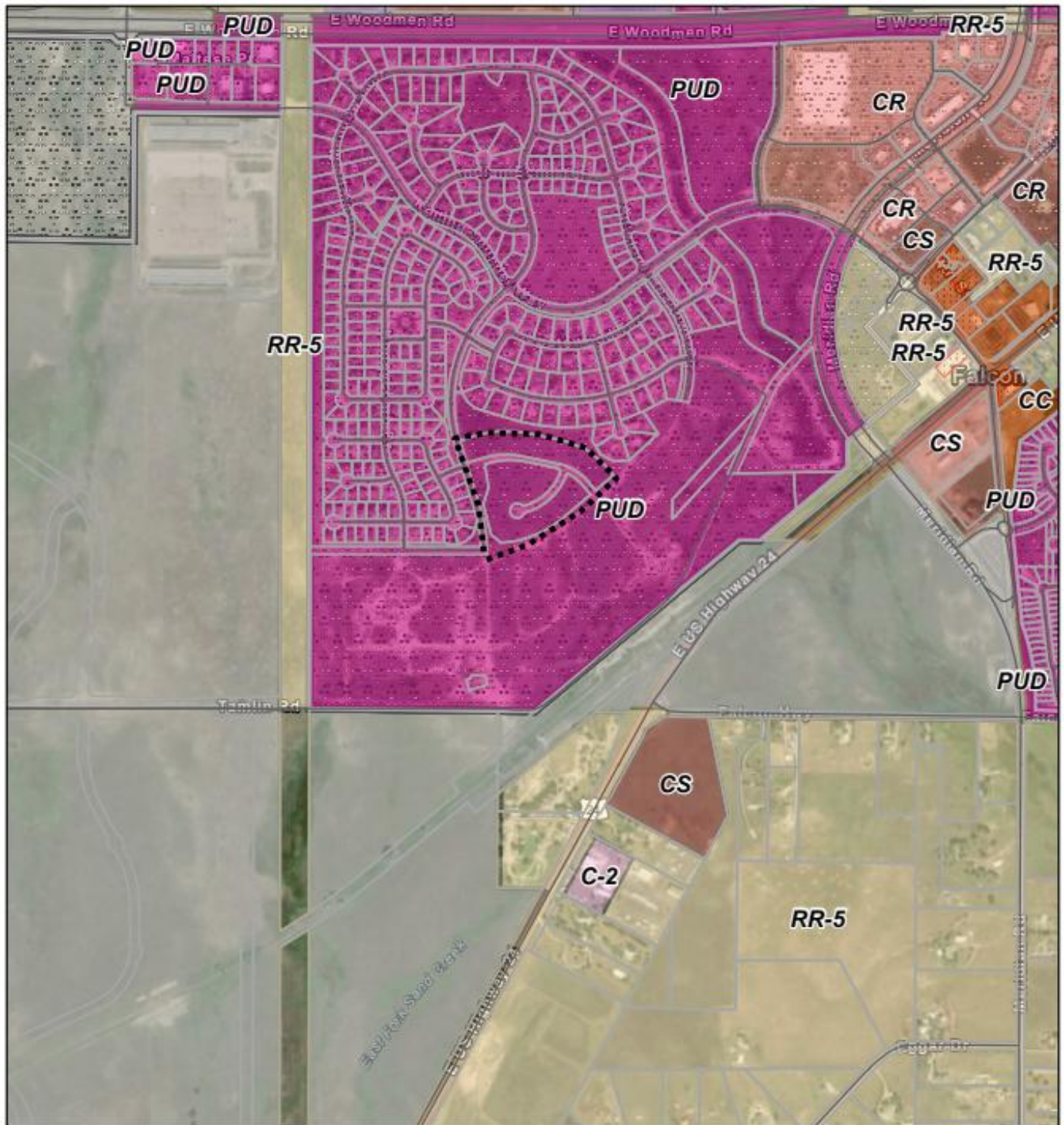
FROM: Ryan Howser, AICP, Principal Planner
Charlene Durham, PE, Principal Engineer

RE: Project File Number: SF2418
Project Name: Falcon Highlands South Filing No. 1
Parcel Number: 5300000817, 5300000588, and 5300000587
Commissioner District: 2

OWNER:	REPRESENTATIVE:
Challenger Communities, LLC 8605 Explorer Drive, Suite 250 Colorado Springs, CO, 80920	Matrix Design Group 2435 Research Parkway, Suite 300 Colorado Springs, CO, 80920
Planning Commission Hearing Date:	8/20/2026
Board of County Commissioners Hearing Date:	9/10/2026

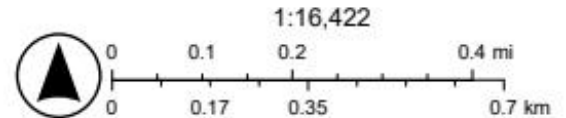
EXECUTIVE SUMMARY

A request by Challenger Communities, LLC for approval of a 20.874-acre Final Plat creating 24 single-family residential lots and 5 tracts. The property is zoned PUD (Planned Unit Development) and is located at the east corner of the intersection of Antelope Meadows Circle and Bridal Vail Way.



7/29/2026, 9:15:36 AM

- | | |
|-----------------------------------|------------------------------|
| — County Roads | Initial Zoning |
| Parcels | Special Use |
| County Zoning | Sketch Plans |
| CC: Commercial Community | Incorporated Cities |
| CR: Commercial Regional | World Imagery |
| CS: Commercial Service | Low Resolution 15m Imagery |
| I-2: Limited Industrial | High Resolution 60cm Imagery |
| PUD: Planned Unit Development | High Resolution 30cm Imagery |
| RR-5: Residential Rural (5 acres) | Citations |
| C-2: ** Commercial | |



El Paso/Teller E-911, El Paso County Development Services, El Paso County Planning Department, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Vantor

Zoning Map

A. AUTHORIZATION TO SIGN: Final Plat, Subdivision Improvements Agreement, Detention Pond Maintenance Agreement and any other documents necessary to carry out the intent of the Board of County Commissioners.

B. APPROVAL CRITERIA

In approving a Final Plat, the BoCC shall find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (as amended):

- *The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;*
- *The subdivision is in substantial conformance with the approved Preliminary Plan;*
- *The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials;*
- *Either a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. § 30-28-133(6)(a)] and the requirements of Chapter 8 of the Code, or, with respect to applications for administrative Final Plat approval, such finding was previously made by the BoCC at the time of Preliminary Plan approval;*
- *A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations, [C.R.S. § 30-28-133(6)(b)] and the requirements of Chapter 8 of the Code;*
- *All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. § 30-28-133(6)(c)];*
- *Adequate drainage improvements are proposed that comply with State Statute [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of the Code and the ECM;*
- *Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with the Code and the ECM;*
- *Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;*

- *The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code;*
- *Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8 of the Code;*
- *Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the subdivision will be adequately mitigated;*
- *The subdivision meets other applicable sections of Chapter 6 and 8 of the Code; and*
- *The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§ 34-1-302(1), et seq.].*

C. BACKGROUND

The original Falcon Highlands Sketch Plan was approved by the Board of County Commissioners (BoCC) on December 9, 1999 (PCD file no. SKP991). The Sketch Plan has been amended several times, the most recent being a minor amendment, which was administratively approved on May 17, 2022 (PCD file no. SKP214). The currently proposed Final Plat is consistent with the approved Sketch Plan.

The Falcon Highlands PUD was originally conceived as a Zoning and Conceptual Plan (ZCP), approved by the BoCC on August 9, 2001. At this time, the subject property was considered for residential development with a minimum lot size of 0.5 acres. The BoCC approved an amendment to the Falcon Highlands PUD Development Plan to initiate a site-specific PUD on the subject property and the adjacent Falcon Highlands Filing No. 2 on July 14, 2005 (PCD file no. PUD04021). This plan contemplated an increased density for the proposed remaining filings of Falcon Highlands, which included Falcon Highlands Filing No. 2 (PCD file no. SF05033) and the subject property, which was originally contemplated as Falcon Highlands Filing No. 3 (PCD file no. SF05034). The BoCC approved a revised PUD Development Plan and Preliminary Plan renaming Falcon Highlands Filing No. 3 as Falcon Highlands South on December 14, 2023 (PCD File No. PUDSP225). The current Final Plat proposal is consistent with the Falcon Highlands South PUD Development Plan and Preliminary Plan.

D. LAND DEVELOPMENT CODE AND ZONING ANALYSIS

The Final Plat application meets the Final Plat submittal requirements, the standards for Divisions of Land in Chapter 7, and the standards for Subdivision in Chapter 8 of the El Paso County Land Development Code (as amended).

E. MASTER PLAN COMPLIANCE

The subject property is located within the Suburban Residential Placetype, the Minimal Change: Developed Area of Change, and the Potential Areas for Annexation Key Area. The proposed lot sizes are consistent with the recommended minimum lot size in the Suburban Residential Placetype. With regards to the Area of Change, the Master Plan does not contemplate a significant change in character for this portion of the County; implementation of the proposal would not result in a significant change in character for the area as it is a continuation of an existing development and is similar in nature to that of other existing and proposed developments in the area. The proposal likely won't result in a change in character beyond what would normally be expected, given the current development pattern, as discussed above in the Background section of this report.

The BoCC determined the project to be in general conformance with the Your El Paso Master Plan, the El Paso County Water Master Plan, and the other Master Plan elements at the time the PUD Development Plan and Preliminary Plan were considered. The current proposal is consistent with the previous findings.

F. PHYSICAL SITE CHARACTERISTICS

1. Hazards

Expansive soils, undocumented fill, fault and seismicity, radon, flooding, surface drainage erosion and corrosion, surface grading, and shallow groundwater were identified during the review of the Final Plat. In order to mitigate the presence of geologic hazards, the applicant has included the following notes on the Final Plat:

1.1 Based on the geotechnical report conducted, no basements or crawlspaces will be allowed for any proposed lots.

1.2 A site specific subsurface soil investigation will be required for all proposed residences.

1.3 Due to high groundwater in the area, each individual lot within the site shall be provided with its own NDS flo-well system to collect and dissipate groundwater.

1.4 Each lot owner shall own and be responsible for maintenance of their NDS flo-well system.

The Colorado Geological Survey was sent a referral for the Final Plat, is agreeable to the proposed notes, and has no outstanding comments.

2. Floodplain

FEMA Flood Insurance Rate Map (FIRM) panel number 08041C0561G, dated December 7, 2018, indicates no portion of the subject property is located within a FEMA floodplain.

3. Drainage and Erosion

The proposed subdivision is located within the Sand Creek drainage basin (FOFO4000), which was studied in 1996. This basin requires drainage and bridge fees to be paid at the time of Final Plat recording. The site generally drains from north to south, with most runoff flowing into the City of Colorado Springs drainage infrastructure and eventually into Sand Creek.

A Final Drainage Report (FDR) was provided with the Final Plat submittal. The FDR analysis and design indicates that the proposed development will not release developed runoff in excess of historic rates. The FDR concludes that “Downstream drainage facilities will not be negatively affected, as existing drainage patterns and allowable release rates shall be maintained.”

There are no regional Drainage Basin Planning Study (DBPS) improvements called for within the site. The developer’s consultants have designed 2 detention ponds to comply with full-spectrum detention and water quality requirements. Both ponds will be privately owned and maintained by the Falcon Highlands Metropolitan District. The proposed drainage plan is in general conformance with the 2022 Master Development Drainage Plan (MDDP) provided with the Falcon Highlands Filing No. 3 Sketch Plan (SKP214) and the 2024 Preliminary Drainage Report (PDR) provided with the PUD/Preliminary Plan for Falco Highlands South (PUDSP225).

4. Transportation

The Falcon Highlands South Filing No. 1 Final Plat is located west of the intersection of Meridian Road and US Highway 24. Access to the development is from existing local and collector road connections within Falcon Highlands Filing No. 2, primarily an extension of Bridal Vail Way, an existing local residential road.

Falcon Highlands South Filing No. 1 will consist of 24 single family residential lots. There will be 2 local residential roads constructed with this development, Sahalee Trail and Fox Kestrel Court. Sahalee Trail will connect to Bridal Vail Way and will connect to the extension of Antelope Meadows Circle with future filings.

A traffic conformance letter was provided with the Final Plat submittal, showing conformance with the overall traffic analysis provided in the full traffic impact study (TIS) dated January 25, 2022, which was provided with the Preliminary Plan submittals. No offsite roadway improvements are anticipated with this development.

The proposed interior roads will be urban local roads dedicated to the County for ownership and maintenance. The proposed roads and traffic depicted in the TIS, and the Preliminary Plan are in conformance with the El Paso County 2024 Major Transportation Corridors Plan Update (MTCP).

This development is subject to the El Paso County Road Impact Fee Program (Resolution 25-337, as amended) at the time of Final Plat recording.

G. SERVICES

1. Water

Water will be provided by the Falcon Highlands Metropolitan District. Water sufficiency has been analyzed with the review of the proposed subdivision. The applicant has shown a sufficient water supply for the required 300-year period. The State Engineer and the County Attorney's Office have recommended that the proposed subdivision has an adequate water supply in terms of quantity and dependability. El Paso County Public Health has recommended that there is an adequate water supply in terms of quality.

2. Sanitation

Wastewater will be provided by the Woodmen Hills Metropolitan District.

3. Emergency Services

The property is within the Falcon Fire Protection District, which is committed to providing fire protection services to the proposed development. The District was sent a referral and has no outstanding comments.

4. Utilities

Electrical service will be provided by Mountain View Electric Association (MVEA) and natural gas service will be provided by Black Hills Energy (BHE). Both services providers were sent referrals and have no outstanding comments.

5. Metropolitan Districts

The property is located within the Falcon Highlands Metropolitan District, which provides water service to the property (see above). The property is located within the Woodmen Road Metropolitan District. Woodmen Road fees are anticipated to be paid to El Paso County prior to the issuance of building permits associated with the proposed residential lots.

5. Parks/Trails

Fees in lieu of park land dedication in the amount of \$12,120.00 for regional park fees (Area 2) and \$7,272.00 for urban park fees (Area 3) will be due at the time of recording the Final Plat.

6. Schools

Fees in lieu of school land dedication in the amount of \$5,760.00 shall be paid to El Paso County for the benefit of Falcon School District No. 49 at the time of recording the Final Plat.

H. STATUS OF MAJOR ISSUES

There are no major issues at this time.

I. RECOMMENDED CONDITIONS AND NOTATIONS

Should the Planning Commission and Board of County Commissioners find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (as amended) staff recommends the following conditions and notations:

CONDITIONS

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.
2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer's Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat, a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.
3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the Final Plat.
4. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the appropriate El Paso County staff.
5. The Subdivision Improvements Agreement, including the Financial Assurance Estimate, as approved by the El Paso County Planning and Community Development Department, shall be filed at the time of recording the Final Plat.
6. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the Final Plat is recorded.
7. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, dated August 27, 2025, as provided by the County Attorney's Office.
8. All outstanding staff comments shall be addressed prior to Final Plat recordation.

NOTATIONS

1. The following fees are required to be paid to El Paso County at the time of Final Plat recordation:
 - a. Drainage Fees in the amount of \$137,643.84 and bridge fees in the amount of \$56,299.08 for the Sand Creek drainage basin.

- b. Park fees in lieu of land dedication in the amount of \$12,120.00 for regional parks (Area 2) and park fees in lieu of land dedication in the amount of \$7,272.00 for urban parks (Area 3).
 - c. Fees in lieu of school land dedication in the amount of \$5,760.00 shall be paid for the benefit of Falcon School District No. 49.
- 2. Final Plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired unless an extension is approved.
- 3. Site grading or construction, other than installation or initial temporary control measures, may not commence until a Preconstruction Conference is held with Planning and Community Development Inspections and a Construction Permit is issued by the Planning and Community Development Department.
- 4. Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with Resolution No. 25-337), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at Final Plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.

J. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified 135 adjoining property owners on August 5, 2026, for the Planning Commission and Board of County Commissioner meetings. Responses will be provided at the hearing.

K. ATTACHMENTS

Map Series

Letter of Intent

Plat Drawing

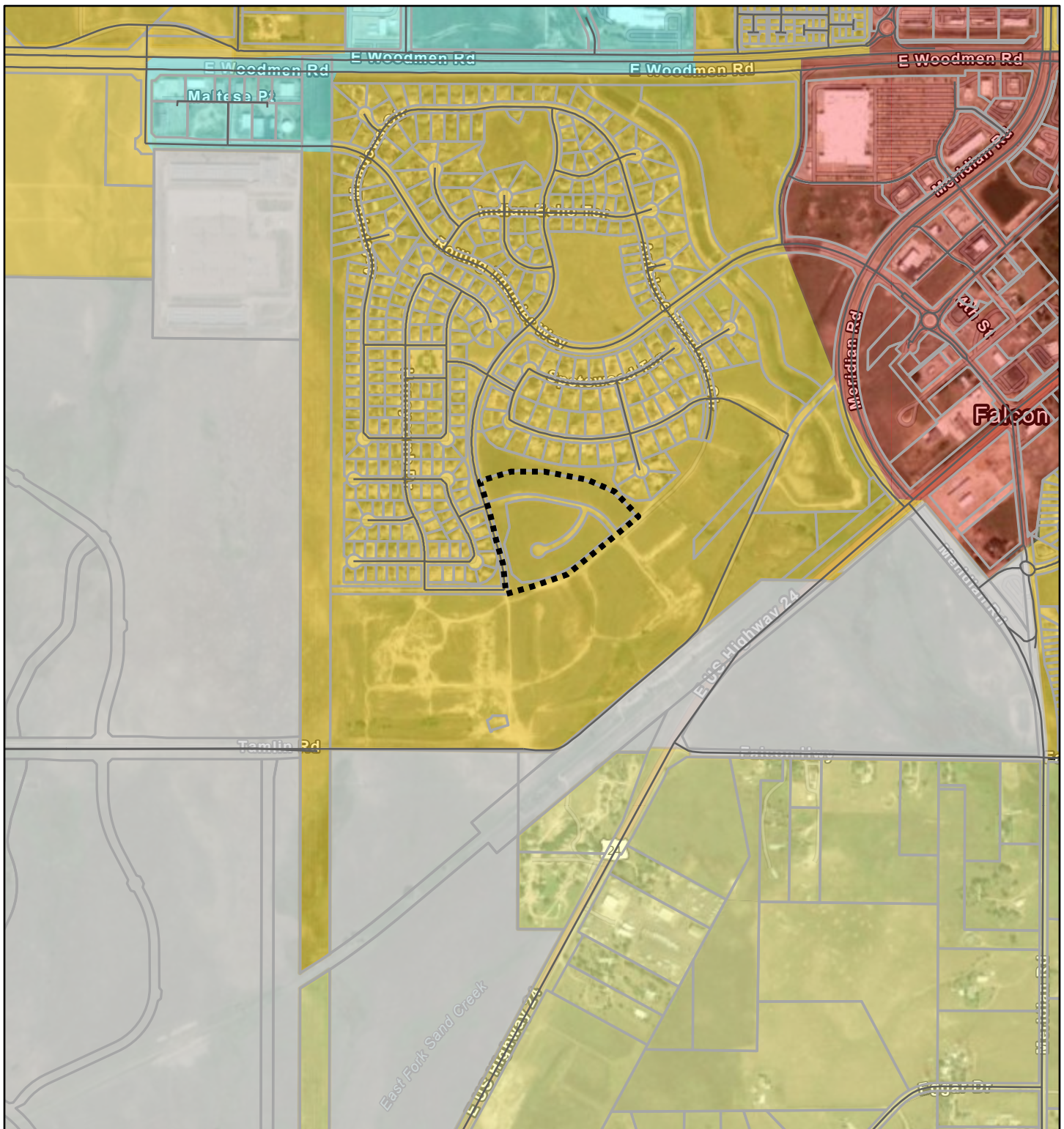
State Engineer's Letter

County Attorney's Letter

Public Comment

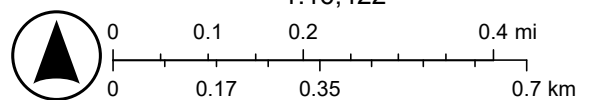
Draft Resolution

Placetypes Map



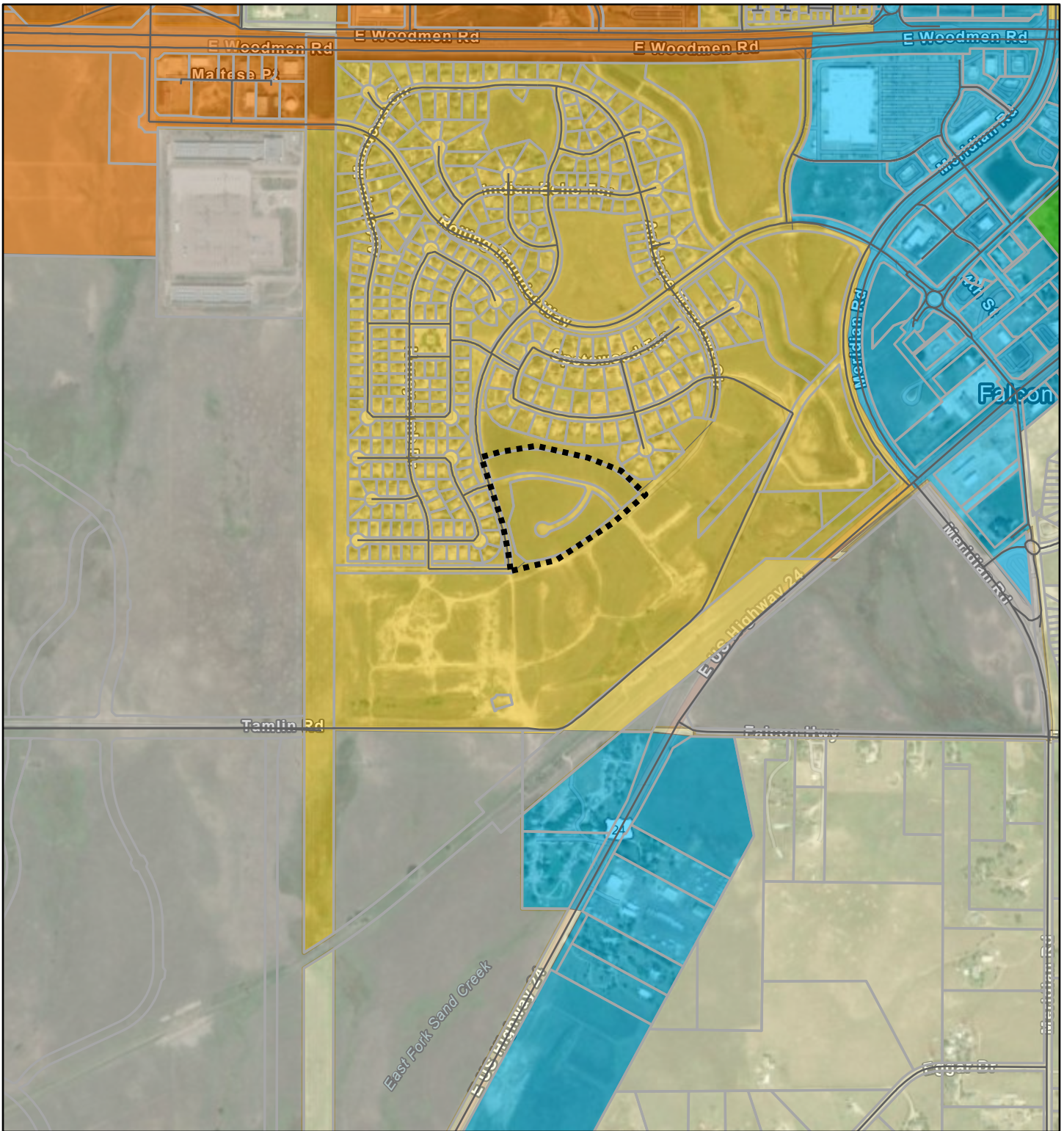
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El Paso/Teller E-911, Created by Houseal Lavigne Associates (2021),
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Areas of Change Map



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County Roads

Parcels

Areas Of Change

Protected/Conservation Area

Minimal Change: Undeveloped

Minimal Change: Developed

New Development

Transition

Incorporated Cities

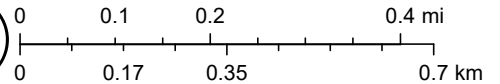
World Imagery

Low Resolution 15m Imagery

High Resolution 60cm Imagery

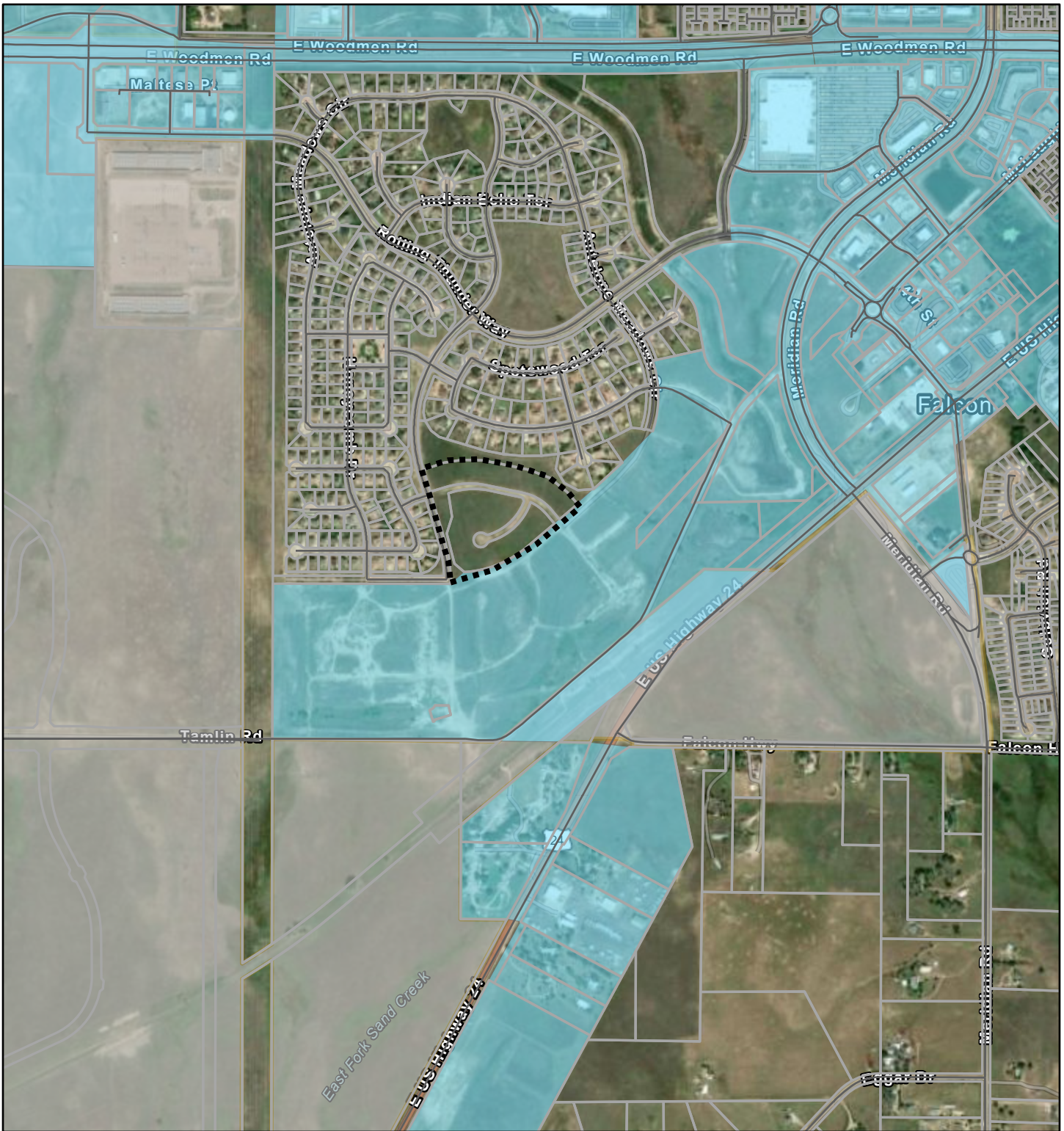
High Resolution 30cm Imagery

Citations



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Key Areas Map



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— County Roads

□ Parcels

KeyAreas

□ Potential Areas for Annexation

□ Incorporated Cities

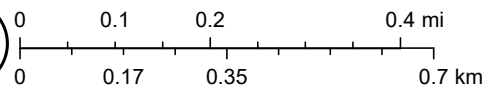
World Imagery

Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

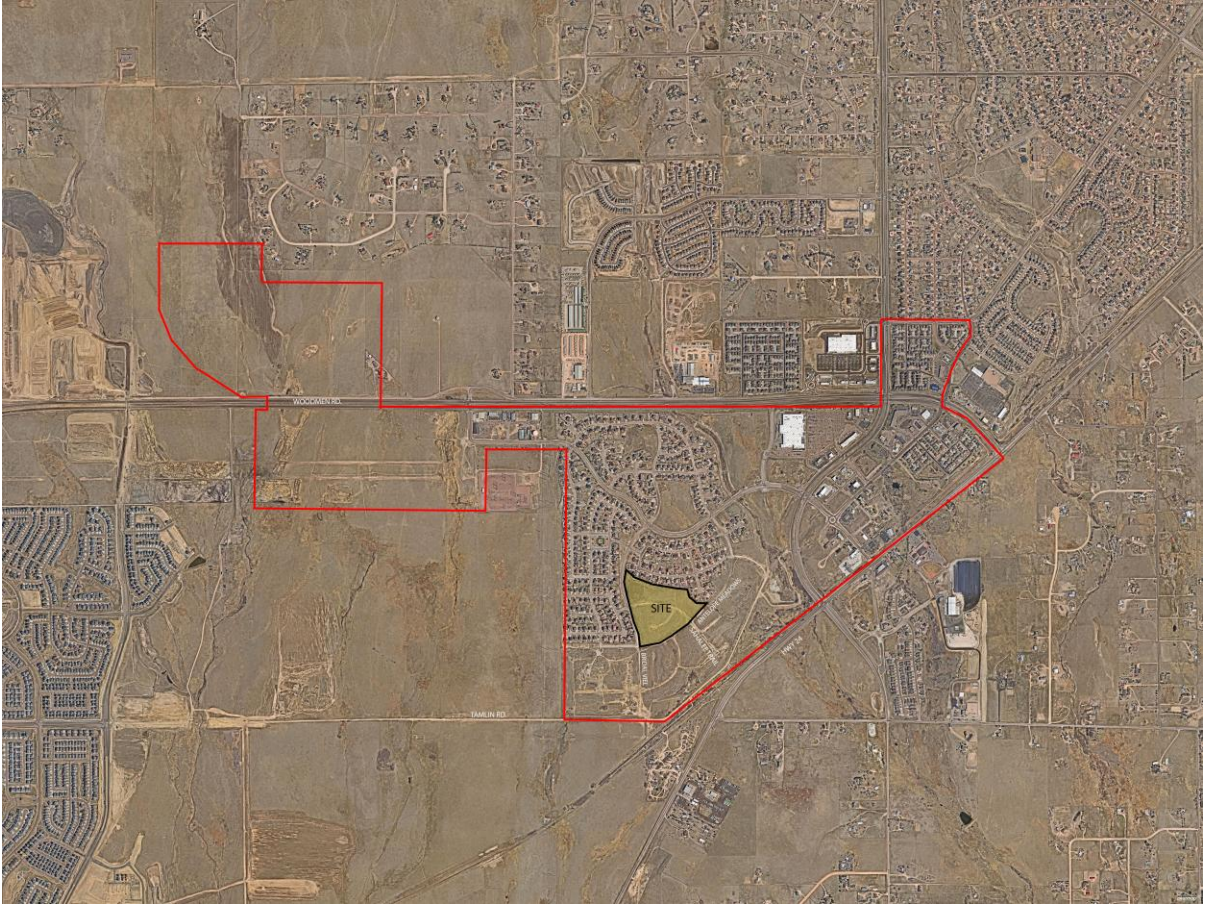


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El Paso/Teller E-911. Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Vantor

**FALCON HIGHLANDS SOUTH FILING 1
LETTER OF INTENT
FINAL PLAT
SF2418**

August 14, 2024; Revised January 2025



PREPARED FOR:

Challenger Communities
8605 Explorer Dr., Suite 250
Colorado Springs, CO 80920

PREPARED BY:

Matrix Design Group
2435 Research Parkway, Suite 300
Colorado Springs, CO 80920

Owner/ Applicant: Challenger Communities and Next Top Holdings
8605 Explorer Dr., Suite 250
Colorado Springs, CO 80920
Office: (719) 598-5192

Planner: Matrix Design Group
2435 Research Parkway, Suite 300
Colorado Springs, CO 80920
Office: (719) 575-0100

Civil Engineer: Daniel Madruga
ATWELL, LLC
303.521.1289 Mobile
6200 S. Syracuse Way, Suite 470
Greenwood Village, CO 80111
Office: (303) 462-1100

Tax Schedule No: 5300000588; 5300000587, 5300000817 (Part)

Site Location, Size, Zoning:

Matrix Design Group, on behalf of Challenger Communities, is submitting a Final Plat application for 24 lots as Falcon Highlands South Fil. 1 (shown as Phase 4 in the approved Falcon Highland PUDSP). Falcon Highlands South is located south of Woodmen Rd, west of State Highway 24 and west of New Meridian Rd., in the greater Falcon area of El Paso County. The site is +/- 23.592AC and proposing 24 detached single family residential lots and 3 tracts. Gross density of the site 1.02 and minimum lot size within the development is 19,000SF. Uses of the three tracts are for landscaping and utilities. Open space and landscape Tracts, A-C will be owned and maintained by the Falcon Highlands Metro district.

The proposed development area is bordered by existing detached single family residential to the north, west and east; with future Filings of Falcon Highlands South are to the south. Surrounding residential properties are part of the Falcon Highlands Sketch Plan.

Falcon Highlands South PUDSP, File Number PUDSP225, was recently approved by the El Paso County Board of County Commissioners. The approved PUDSP is +/- 125.56AC to be developed in 4 phases to ultimately create a total of 378 detached single family lots and 9 Tracts. While the Falcon Highlands South Filing 1 Final Plat was originally identified as Phase 4 on the PUDSP, this filing will create larger size lots consistent with existing homes and requires minimal improvements for construction. This filing is not dependent upon previous phase infrastructure for completion.

Request & Justification:

The purpose of this application is to request approval of a final plat for 24 detached single-family lots and landscape/ open space tracts. The Final Plat provides a detailed design of the large lot single-family detached residential community and open spaces; the necessary width and classification of public rights-of-way and public roadways; roadway centerline data; street grades; as well as proposed landscaping within the tracts. Early grading for this site was approved with the PUDSP (PUDSP225).

Primary access into the site is provided by, Bridel Viel Way, an existing local residential road and will connect to Sahalee Trail, a 50' urban local public road. All roadways will be public and constructed to El Paso County Standards.

Antelope Meadows will be constructed within a different phase of Falcon Highlands South. Landscape improvements along both sides of Antelope Meadows will be completed at time of roadway construction.

The final plat proposes three tracts, totaling 5.92 AC. These tracts are intended for landscaping and will be owned and maintained by the Falcon Highlands Metro district.

There are no significant natural resources within the site. A full natural resources report has been provided as a part of this submittal that addresses the topography, hydraulic features, soil conditions, wetlands, utility access and wildlife.

Adjacent property owners received notification of the project, to date, no objections or neighborhood correspondence has been received. Previous neighborhood concerns with the PUDSP application have been addressed. Following County Procedures, the property will be posted prior to the Public Hearing.

Your El Paso County Master Plan:

Baseline Considerations:

1. *Is there a desirability or demand within the community for this use?*
The proposed Falcon Highlands South Filing 1 will help to fulfill desirability and demand for additional housing and housing types within El Paso County. As illustrated in the recently approved Master Plan, the county should increase density to help reduce land cost per unit for development with a primary focus on **Suburban Residential Place types**. In addition, Falcon Highlands South Filing 1 is located near a commercial activity center of which the increased residential density can help support.
2. *Does the market support the need for the use? Would the use be viable if built right now?*
There is a very high demand for the proposed land use and density as El Paso County and the City of Colorado Springs is experiencing a severe housing shortage.
3. *Would the use be providing necessary housing or essential goods and/ or services?*
The proposed Falcon Highlands South Filing 1 allows for 24 more single-family homes that will help with the necessary and needed housing in the Falcon area.

Goal HC3: *Locate attainable housing that provides convenient access to goods, services and employment.*

The Falcon Highlands South Filing 1 development is near existing highways; will utilize existing master planned infrastructure connections to help keep lot cost down; and would be located near an existing commercial activity center which provides numerous job opportunities.

County Systems Considerations:

1. *Is there existing infrastructure to which the development can connect? If so, what infrastructure exists? If not, are there existing or proposed plans to extend infrastructure to this area?*
The proposed Falcon Highlands South Filing 1 development will be served by existing infrastructure to include water and wastewater services, electricity and roadways.

Goal LU1: *Ensure compatibility with established character and infrastructure capacity.*

Larger lots have been designed in this location to encourage compatibility with the adjacent detached single family residential to the West, North and East. Lots will connect to the existing infrastructure. This filing does not trigger the need for infrastructure improvements. Water and wastewater demands are outlined in the Water Resources Report.

2. *Does the development trigger the need for such infrastructure?*

Filing 1 of Falcon Highlands South does not trigger the need for wastewater infrastructure as previous approvals contemplated the necessary infrastructure improvements. However, the overall development may trigger upgrades and/ or expansion of existing facilities to accommodate the increased densities as shown on the approved PUDSP.

Goal LU4: *Continue to encourage policies that ensure “development pays for itself”.*

Filing 1 of Falcon Highlands South does not require any major improvements to the roadways or utilities. Therefore, helping to fund the future improvements that will be needed in future filings.

3. *Does the proposal trigger the need for pedestrian or multimodal connections and are those connections being provided?*

The proposed Falcon Highlands South Filing 1 does not require any public improvements to be made to the existing streets or any new collector or arterial streets to be constructed. The two internal roads within Filing 1 will be built to El Paso County Standards. Future filings will however require Antelope Meadows to be extended as well as a regional trail connection to be built along Highway 24 per the El Paso County Parks Master Plan.

Goal TM2: *Promote walkability and bike-ability*

Public sidewalks will be provided throughout the development. Sidewalk will also be added along Bridal Vail Way that will allow pedestrians to connect to the existing parks within the Falcon Highlands Development.

Best Practices Considerations:

1. *Does the development appropriately include conservation design best practices to protect/preserve existing natural resources?*

Falcon Highlands South Filing 1 incorporates and implements conservation best practices such as inclusion of parks/ open space, and preservation of existing natural areas.

2. *Does the development include best practices to protect **existing** natural resources and prevent unnecessary property damage? If not, does it include methods for impact mitigation?*

Falcon Highlands South Filing 1 does not encompass nor alter the existing natural drainage ways found to east and northeast of the development. This drainage way will remain as is. There is a proposed grass-lined swale to capture flows in the open space behind the northern lots, The design of this swale is included in the report in Appendix E of the Final Drainage Report, to accurately access the width and depth of the drainage way for the minor and major storm events.

El Paso County Final Plat Section 7.2.1(D)(3) Approval Criteria

1. *The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;*

The Falcon Highlands South project is located within the Potential for Annexation Key Area identified as an area of Priority for Annexation due to its proximity to the City of

Colorado Springs city limits and Banning Lewis Ranch to the west. The proposed density increase would be inline and compatible with existing and planned residential densities as part of Banning Lewis Ranch that the City of Colorado Springs is seeking. However, during the pre-planning stages, coordination between the owner/ developer and the City of Colorado Springs regarding annexation was conducted. Due to lack of immediate availability of municipal utility services it was determined that this project will not be seeking annexation into the City of Colorado Springs. The proposed development will remain within El Paso County.

The proposed subdivision is in compliance with the 2021 Your El Paso County Master Plan. As outlined above. This area is designated as a Suburban Residential Placetype. Suburban Residential Placetypes are characterized by primarily single-family detached housing with a density range of up to 5 units per acre. As illustrated in Section 4 Housing and Communities, “to sustain Falcon’s growth momentum, the county should continue to prioritize Suburban Residential in this area.” Additionally, 24 detached single family lots in this location will support the nearby commercial activity center and help provide the necessary and needed housing in the Falcon area.

2. *The subdivision is in substantial conformance with the approved preliminary plan;*

Falcon Highlands South Filing 1 is in substantial conformity with the approved Falcon Highlands South PUDSP (PUDSP225).

There are minor lot size configuration changes on the Final Plat due to adjusting for drainage and utility easement/ connections. However, the number of units, lot size minimums, roadway layout and general overall configuration have remained the same. The Final Plat substantially conforms to the approved PUDSP with no material change.

3. *The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials;*

The subdivision is in conformance with El Paso County subdivision design standards and regulations. All proposed roads, accesses and infrastructure, are designed to meet El Paso County criteria. The proposed final plat is in substantial compliance with the approved PUDSP (PUDSP225).

4. *Either a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. § 30-28-133(6)(a)] and the requirements of Chapter 8 of this Code, or, with respect to applications for administrative final plat approval, such finding was previously made by the BoCC at the time of preliminary plan approval;*

Water services will be provided by Falcon Highlands Metro District. A water report and commitment letter have been included with our submittal.

5. *A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations, [C.R.S. § 30-28-133(6)(b)] and the requirements of Chapter 8 of this Code, or, with respect to applications for administrative final plat approval, such finding was previously made by the BoCC at the time of preliminary plan approval;*

Wastewater services will be provided by Woodmen Hills Metro District. A wastewater disposal report and commitment letter have been included with our submittal.

6. *All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. § 30-28-133(6)(c)];*

A "Soils and Geology Study", Falcon Highlands, Colorado" (RMG- Rocky Mountain Group, October 8, 2021, amended September 7, 2022) and addendum completed November 1, 2024, is included with the submittal package. As part of this study, 11 exploratory test borings were completed. 3 of which are located within the Filing 1 area. Geologic hazards (as described in section 7 of the report) include faults/seismicity and radioactivity/radon gas. Potential geologic constraints (also as described in section 7 of the report) were found on site to include: expansive soils and shallow ground water. Where avoidance is not readily achievable, the existing geologic and engineering conditions can be satisfactorily mitigated through proper engineering, design, and construction practices. Exterior, perimeter foundation drains should be installed around below-grade habitable or storage spaces. Surface water should be efficiently removed from the building area to prevent ponding and infiltration into the subsurface soil. A note regarding maintenance of underdrains is shown on the approved PUDSP.

7. *Adequate drainage improvements are proposed that comply with State Statute [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM;*
Adequate drainage improvements; complying with State law, this Code and the ECM are proposed and illustrated on the drawings. A Final Drainage report for this development has been included for review and approval by El Paso County.
8. *Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;*

Legal and physical access will be provided to all parcels by public rights-of-way. There are two internal urban local public roads, Sahalee Trail and Fox Kestrel Court being proposed that will provide access to all 24 single-family home lots.

9. *Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;*

All necessary public services will be available to serve the proposed subdivision as this area has been master planned with anticipation of development such as this. More detailed information regarding the necessary services provided for this development has been further illustrated in this LOI and additional reports included as a part of the submittal.

10. *The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;*

The proposed subdivision complies with the fire protection standards of Chapter 6 including water supply, roads and access. A fire protection report illustrating the available fire protection measures has been provided with this submittal.

11. *Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8;*

The location and design of the proposed public improvements are adequate to serve the needs and mitigate the effects of the development. There is no cut-through traffic or additional access beyond the access points provided. Public sidewalks will be constructed as necessary to provide pedestrian connections throughout the development.

There are no required off-site improvements as a result of this development. The applicant requests that platted lots within the approved Falcon Highlands PUDSP be included in the county wide Public Improvement District (PID 2) implemented as part of the Traffic Impact Fee resolution.

Antelope Meadows will be constructed within a different phase of Falcon Highlands South. Landscape improvements along both sides of Antelope Meadows will be completed at time of roadway construction.

12. *Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the subdivision will be adequately mitigated;*

A Subdivision Improvement Agreement will be provided if required.

There are no required off-site improvements as a result of this development. The applicant requests that platted lots within the approved Falcon Highlands PUDSP be included in the county wide Public Improvement District (PID 2) implemented as part of the Traffic Impact Fee resolution.

13. *The subdivision meets other applicable sections of Chapter 6 and 8; and;*

The proposed subdivision meets all applicable sections of Chapter 6 and 8 of the El Paso County Land Development Code.

14. *The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§ 34-1-302(1), et seq.]*

No known commercial mining deposit is impeded by this subdivision.

Total Number of Residential Units, Density, and Lot Sizes:

Falcon Highlands South Filing 1 contains +/-23.592AC and proposed 24 single-family lots for a density of 1.02 DU/AC. The minimum lot size is 19,000 square feet and aligns with the existing neighborhood to the north, east and west of this parcel. This includes open space buffering the existing residents from the proposed development.

Total Number of Industrial or Commercial Sites:

There are no industrial or commercial sites being proposed within this development.

Approximate Acres and Percent of Land Set Aside for Open Space:

The proposed Falcon Highlands South Filing 1 meets the open space requirement set forth by the PUD Zoning District. The PUD guidelines require 10% open space on the overall +/- 23.592AC for a total open space requirement of 2.36 acres (102,802 SF). The proposed Falcon Highland South Filing 1 is proposing 39.9 acres of open space which meets the required area.

All common open space will be owned and maintained by the metropolitan district. The open space being proposed within this filing is in alignment with the open space shown on the approved PUDSP.

Types of Proposed Recreational Facilities:

While there are no recreational facilities within Filing 1 the overall development is proposing a neighborhood pocket park, playground, dog park and open space buffers between housing types of differing lot size, as well as trails and pedestrian connections to existing trail systems including the Rock Island Regional Trail along the site's southern boundary. The facilities will be approved with later filings of Falcon Highlands South. For now pedestrian connections will be provided to the existing nearby park.

Master Plan for Mineral Extraction:

The *1996 Master Plan for Mineral Extraction* updates and supersedes the *1975 El Paso County Master Plan for Mineral Extraction of Commercial Mineral Deposits* as amended in 1978 and 1982. This updated plan has two primary purposes, the first is to facilitate continued compliance with the mineral resource protection mandates outlined in the "Preservation of Commercial Mineral Deposits Act" of 1973 and the second is to provide guidance to the El Paso County Planning Commission and Board of County Commissioners in evaluating land use proposals involving new or expanded mining and mineral resource processing operations. Per the El Paso County Master Plan for Mineral Extraction Aggregate Resource Maps, this site is identified as 'Upland Deposits' containing sand and gravel with silt and clay; remnants of older streams deposited on topographic highs or bench like features. Therefore, the proposed project does not contain any mineral deposits of commercial value and does not permit the use of any area containing a commercial mineral deposit which would unreasonably interfere with the present or future extraction of such deposits.

Areas of Required Landscaping:

Filing 1 of Falcon Highlands South includes landscape design for the buffer to the north between the proposed lots and the existing single-family homes. It also shows an interim condition along the future Antelope Meadow Circle right-of-way that will be enhanced when the roadway is constructed with a future filing. Much of the proposed landscape is designed to be xeric, low water use utilizing native and drought tolerant plant species. There are no landscape waivers being requested at this time.

Antelope Meadows will be constructed within a different phase of Falcon Highlands South. Landscape improvements along both sides of Antelope Meadows will be completed at time of roadway construction.

Phasing Plan and Schedule of Development:

This initial phase, 24 lots, is based upon availability of water and wastewater utility services with subsequent phasing being completed based upon increased infrastructure capacity.

Water and Wastewater Services:

Municipal Water services will be supplied by the Falcon Highlands Metropolitan District. Municipal Wastewater municipal services will be supplied by the Woodmen Hills Metropolitan District (WHMD) through an intergovernmental agreement. WHMD has provided a Commitment Letter for Wastewater Service that is included as a part of this final plat submittal.

El Paso County Water Master Plan:

The Falcon Highlands South development is located within planning area 3 of the El Paso County Water Master Plan which encompasses the Falcon area and served by a variety of water suppliers including the Falcon Highlands Metropolitan District (FHMD) and Woodmen Hills Metro District (WHMD) for sanitary.

Falcon Highlands Metro District (FHMD) currently has SFE of 450 with a maximum SFE of 710. It is recommended that Falcon Highlands Phase 1 construction be limited to 50 +/- SFE based on current water availability with the proposed 24 lots well within this limit and FHMD has provided a Commitment Letter for Wastewater Service that is included as a part of this final plat submittal. Of these remaining 260 SFE's, the current infrastructure can only provide services for approximately 50 SFE's. For the remaining 210 SFE's the development of an additional well will be required. Future phasing identifying additional units above the collective 256 +/- SFEs will need additional water capacity.

Through integrated master planning of site planning, landscape and water resource best management practices. The open space areas emphasize water conservation using native vegetation, turf seeds and limited high-water sod with limited artificial turf as a design option. The Falcon Highlands Final Plat meets the stated master plan Goals and Policies:

- Goal 1.2 – Integrate water and land use planning
- Goal 4.2 – Support the efficient use of water supplies
- Goal 6.1.2 – Promote water conservation

Wastewater flows for WHMD are based on the established benchmark of average daily flow of 163 gallons per day per SFE and 172 gallons per day per SFE for average daily maximum flow. The IGA allows for up to 750 SFE's in the district, there are 423 existing SFE's in the FHMD currently connected to the WHMD wastewater system, leaving 327 SFE's available under the current terms of the IGA.

Adding the 24 SFE's from the Site there will be 447 SFE's, leaving 303 SFE's available under the current terms of the IGA. The proposed 24 lots as part of Filing 1 fall well within this limit and creates no adverse effect on current wastewater capabilities.

Traffic Engineering:

Vehicular access and street layout for Falcon Highlands South Filing 1 is as approved the Falcon Highlands South PUDSP. The development includes the construction on both Sahalee Trail and Fox Kestrel Court that will be accessed off of Bridal Vail Way and existing local residential road. Sahalee Trail will provide a future connection to Antelope Meadows Circle when that is extended with a future filing of Falcon Highlands South.

The applicant requests that platted lots within Falcon Highlands South Filing 1 be included in the county wide Public Improvements District (PID 2) implemented as part of the Traffic Impact Fee resolution.

School District:

Projects (Plats) within El Paso County are required to either dedicate land or pay school district fees. The platted lots within Falcon Highlands South Filing 1 will pay school fees in lieu of land dedication.

Proposed Services/Utility Feasibility:

1. Wastewater: Woodmen Hills Metropolitan District

- | | |
|-----------------------|--|
| 2. Water: | Falcon Highlands Metropolitan District |
| 3. Gas: | Colorado Springs Utilities AND |
| 4. Electric: | Mountain View Electric Association |
| 5. Fire: | Falcon Fire Protection District |
| 6. School: | District #49 |
| 7. Roads: | El Paso County Road and Bridge |
| 8. Police Protection: | El Paso County Sheriff's Department |

Impacts associated with the Final Plat:

Floodplain: There is no major hydrologic feature within the project site. The entire development is within "Zone X" as designated FEMA floodplain as determined by the flood insurance rate map, community map number '08041C0561G', effective date 'December 7, 2018'.

Wetlands: There are designated wetlands within the greater Falcon Highlands South development; however, these areas are located within existing drainage ways and area not included within the Filing 1 boundary. The existing ponds will be contained by individual tracts limiting development and will not be disturbed by this development.

Air Pollution: By adhering to current air quality regulations, any air pollution emanating from the development will be negligible. The site has very little vegetation and contains mostly native turfgrass which may result in higher than normal amounts of dust during windy days. However, the proposed development will provide irrigated turf areas and native seeding to help alleviate the dust issues. Construction practices will adhere to El Paso County health department, as well as state department codes and regulations

Water Pollution: By adhering to current wastewater and stormwater regulations, any water pollution emanating from the development will be negligible. An erosion and sedimentation plan will be in place prior to construction.

Noise Pollution: Vehicular movement is expected to be the only major source of noise pollution emanating from the site after construction is complete. The proposed development is surrounded by similar land uses and the effects of noise generated from the site will have little or no impact on other surrounding areas.

Vegetation, Wildlife Habitats and Migration Routes:

Proposed landscaping will include low-water use plant material, and where possible, the plant material will be native to the Falcon region.

The Colorado Division of Wildlife note the following as also present in the area.

- Prairie Dog
- Mule Deer
- Pronghorn Antelope
- Fox species
- Coyote
- Rabbits
- Raptors
- Songbirds
- Numerous Small Mammals

Due to the construction activity and adjoining residential developments, it is not anticipated that the application will have significant impacts on wildlife in the area.

FALCON HIGHLANDS SOUTH FILING NO. 1

SITUATED IN THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO

KNOW ALL MEN BY THESE PRESENTS:

THAT CHALLENGER COMMUNITIES, LLC, A COLORADO LIMITED LIABILITY COMPANY, BEING THE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND, TO WIT:

PROPERTY DESCRIPTION – FALCON HIGHLANDS SOUTH FILING NO. 1
A PARCEL OF LAND LOCATED WITHIN SECTION 12, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST ONE–QUARTER OF SECTION 12, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, MONUMENTED AT THE SOUTH END (SOUTHWEST CORNER OF SAID SECTION 12) BY A RECOVERED 3–1/4 INCH ALUMINUM CAP STAMPED "AZTEC CONSULTANTS PLS 38256" AND AT THE NORTH END (WEST ONE–QUARTER CORNER OF SAID SECTION 12) BY A RECOVERED 3–1/4" ALUMINUM CAP IN RANGE BOX STAMPED "PLS 4842", WHICH IS ASSUMED TO BEAR NORTH 06°23'31" WEST 2,627.59 FEET, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF FALCON HIGHLANDS FILING NO. 2, RECORDED JULY 14, 2006 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER UNDER RECEPTION NUMBER 206712369, FROM WHENCE THE SOUTHWEST CORNER OF SAID SECTION 12 BEARS SOUTH 44°54'43" WEST 1,751.31 FEET;

THENCE ALONG THE EXTERIOR OF SAID FALCON HIGHLANDS FILING NO. 2, THE FOLLOWING (21) TWENTY–ONE COURSES:

1. ALONG THE ARC OF A 1,025.00 FOOT RADIUS NON–TANGENT CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 27°14'43", WHOSE CHORD BEARS NORTH 09°47'43" WEST A DISTANCE OF 271.98 FEET, AND AN ARC LENGTH OF 272.14 FEET;
2. NORTH 17°24'20" WEST 554.86 FEET TO A POINT OF CURVE;
3. ALONG THE ARC OF A 1,030 FOOT RADIUS TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 20°57'59" AND AN ARC LENGTH OF 376.91 FEET;
4. SOUTH 86°13'54" EAST 54.48 FEET;
5. SOUTH 31°51'00" EAST 85.17 FEET;
6. SOUTH 52°36'41" EAST 76.95 FEET;
7. SOUTH 73°19'02" EAST 65.73 FEET;
8. SOUTH 74°06'49" EAST 291.13 FEET;
9. SOUTH 79°13'17" EAST 145.07 FEET;
10. SOUTH 85°23'13" EAST 145.17 FEET;
11. NORTH 88°52'41" EAST 145.19 FEET;
12. NORTH 83°36'10" EAST 131.74 FEET;
13. SOUTH 10°35'23" WEST 114.84 FEET;
14. SOUTH 62°38'08" EAST 112.91 FEET;
15. SOUTH 62°38'08" EAST 114.91 FEET;
16. SOUTH 85°18'48" EAST 119.21 FEET;
17. NORTH 46°48'48" EAST 296.18 FEET;
18. NORTH 34°36'03" WEST 203.48 FEET;
19. NORTH 85°51'10" EAST 203.67 FEET;
20. SOUTH 85°51'10" EAST 75.24 FEET;
21. SOUTH 72°16'09" EAST 30.02 FEET TO A POINT ON A NON–TANGENT CURVE TO THE RIGHT;

THENCE ALONG THE ARC OF AN 810.00 FOOT RADIUS NON–TANGENT CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 37°08'25", WHOSE CHORD BEARS SOUTH 33°16'42" WEST A DISTANCE OF 434.38 FEET, AND AN ARC LENGTH OF 439.76 FEET;

THENCE SOUTH 48°50'47" WEST 954.89 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A 535.79 FOOT RADIUS TANGENT CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 38°53'18" AND AN ARC LENGTH OF 363.66 FEET;

THENCE SOUTH 89°30'24" WEST 167.89 FEET TO THE POINT OF BEGINNING.

CONTAINING 20.874 ACRES (909,268 SQUARE FEET), MORE OR LESS.

OWNER'S CERTIFICATE:

THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST, AND HOLDERS OF OTHER INTERESTS IN THE LAND DESCRIBED HEREIN, HAVE LAID OUT, SUBDIVIDED, AND PLATTED SAID LANDS INTO LOTS, TRACTS AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND SUBDIVISION OF FALCON HIGHLANDS SOUTH FILING NO. 1. THE EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED FOR PUBLIC UTILITIES AND COMMUNICATIONS SYSTEMS AND OTHER PURPOSES AS SHOWN HEREON. THE ENTITIES RESPONSIBLE FOR PROVIDING THE SERVICES FOR WHICH THE EASEMENTS ARE ESTABLISHED ARE HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AN TO ADJACENT PROPERTIES FOR INSTALLATION, MAINTENANCE, AND REPLACEMENT OF UTILITY LINES AND RELATED FACILITIES.

CHALLENGER COMMUNITIES, LLC, A COLORADO LIMITED LIABILITY COMPANY

BY: _____ AS: _____

STATE OF COLORADO)

COUNTY OF _____) ss.

ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____

BY: _____ AS: _____

MY COMMISSION EXPIRES: _____

WITNESS MY HAND AND OFFICIAL SEAL _____ NOTARY PUBLIC

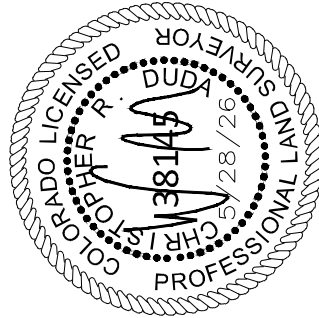
GEOLOGY AND SOILS NOTE:

1. A "SOILS AND GEOLOGY STUDY", FALCON HIGHLANDS, EL PASO COUNTY, COLORADO" (RNG – ROCKY MOUNTAIN GROUP, DATED OCTOBER 08, 2021, AMENDED DATED SEPTEMBER 07, 2022) IS INCLUDED WITH THE SUBMITTAL. AS PART OF THIS STUDY, EXPANSARY TEST BEARINGS WERE COMPLETED. GEOLOGIC HAZARDS, AS DESCRIBED IN SECTION 7 OF THE REPORT, WERE NOT FOUND TO BE PRESENT AT THIS SITE. POTENTIAL GEOLOGIC CONSTRAINTS (ALSO AS DESCRIBED IN SECTION 10 OF THE REPORT) WERE FOUND ON SITE TO INCLUDE: EXPANSIVE SOILS, UNDOCUMENTED FILL FAULT & SEISMICITY, RADON, FLOODING & SURFACE DRAINAGE EROSION & CORROSION, SURFACE GRADING AND SHALLOW GROUND WATER, WHERE AVOIDANCE IS NOT READILY ACHIEVABLE. THE EXISTING GEOLOGIC AND ENGINEERING CONDITIONS CAN BE SATISFACTORILY MITIGATED THROUGH PROPER ENGINEERING, DESIGN, AND CONSTRUCTION PRACTICES.
- 1.1 BASED ON THE GEOTECHNICAL REPORT CONDUCTED, NO BASEMENTS OR CRAWLSPACES WILL BE ALLOWED FOR ANY PROPOSED LOTS.
- 1.2 A SITE SPECIFIC SUBSURFACE SOIL INVESTIGATION WILL BE REQUIRED FOR ALL PROPOSED RESIDENCES.
- 1.3 DUE TO HIGH GROUNDWATER IN THE AREA, EACH INDIVIDUAL LOT WITHIN THE SITE SHALL BE PROVIDED WITH ITS OWN NDS FLO–WELL SYSTEM TO COLLECT AND DISSIPATE GROUNDWATER.
- 1.4 EACH LOT OWNER SHALL OWN AND BE RESPONSIBLE FOR MAINTENANCE OF THEIR NDS FLO–WELL SYSTEM.

SURVEYOR'S CERTIFICATION:

I, CHRISTOPHER RAYMOND DUDA, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT I HAVE PERSONALLY CONDUCTED THE SURVEY AND PREPARED THE RESULTS OF THE SURVEY. THE RESULTS OF THE SURVEY, BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT ALL MONUMENTS EAST AS SHOWN HEREON, THAT MATHEMATICAL CLOSEURE ERRORS ARE LESS THAN 1:10,000; AND THAT SAID PLAT HAS BEEN PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO DEALING WITH MONUMENTS, SUBDIVISION, OR SURVEYING OF LAND AND ALL APPLICABLE PROVISIONS OF THE EL PASO COUNTY LAND DEVELOPMENT CODE.

I ATTEST THE ABOVE ON THIS 28TH DAY OF MAY, 2026.



CHRISTOPHER RAYMOND DUDA, PLS
COLORADO REG. NO. 38145
FOR AND ON BEHALF OF ATWELL, LLC

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATE SHOWN HEREON.

BOARD OF COUNTY COMMISSIONERS CERTIFICATE:

THIS PLAT FOR FALCON HIGHLANDS SOUTH FILING NO. 1 WAS APPROVED FOR FILING BY THE EL PASO, COLORADO BOARD OF COUNTY COMMISSIONERS ON THIS _____ DAY OF _____ OF 20____, SUBJECT TO ANY NOTES SPECIFIED HEREON AND ANY CONDITIONS INCLUDED IN THE RESOLUTION OF APPROVAL. THE DEDICATIONS OF LAND TO THE PUBLIC (STREETS, TRACTS, AND EASEMENTS) ARE ACCEPTED, BUT PUBLIC IMPROVEMENTS THEREON WILL NOT BECOME THE MAINTENANCE RESPONSIBILITY OF EL PASO COUNTY UNTIL PRELIMINARY ACCEPTANCE OF THE PUBLIC IMPROVEMENTS IN ACCORDANCE WITH THE REQUIREMENTS OF THE LAND DEVELOPMENT CODE AND ENGINEERING CRITERIA MANUAL, AND THE SUBDIVISION IMPROVEMENTS AGREEMENT.

CHAIR, BOARD OF COUNTY COMMISSIONERS _____ DATE _____

DIRECTOR, COUNTY PLANNING AND COMMUNITY DEVELOPMENT _____ DATE _____

CLERK AND RECORDER CERTIFICATE:

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE ON THIS _____ DAY OF _____, 20____, AND WAS RECORDED AT RECEPTION NO. _____ OF THE RECORDS OF EL PASO COUNTY, COLORADO.

BY: _____ EL PASO COUNTY CLERK AND RECORDER

FEES:

DRAINAGE FEES: _____

BRIDGE FEES: _____

SCHOOL FEES: _____

PARK FEES: _____

LAND USE SUMMARY CHART			
TYPE	AREA (S.F.)	AREA (AC.)	% OF TOTAL AREA
24 RESIDENTIAL LOTS	557,331	12.79	61.29
TRACTS	257,820	5.92	28.35
RIGHT–OF–WAY	94,117	2.16	10.35
TOTAL	909,268	20.874	100.00
GROSS DENSITY	1.02 UNITS/AC		
MINIMUM LOTS SIZE	19,000 S.F.		

TRACT SUMMARY CHART

TRACT NAME	AREA (SF)	AREA (AC)	USE	OWNERSHIP/MAINTENANCE
TRACT A	190250.80	4.37	OPEN SPACE/DRAINAGE/UTILITY	FALCON HIGHLANDS METRO DISTRICT
TRACT B	5319.11	0.12	LANDSCAPE	FALCON HIGHLANDS METRO DISTRICT
TRACT C	52535.72	1.21	OPEN SPACE/DRAINAGE/UTILITY	FALCON HIGHLANDS METRO DISTRICT
TRACT D	5185.90	0.12	OPEN SPACE/DRAINAGE/UTILITY	FALCON HIGHLANDS METRO DISTRICT
TRACT E	4528.78	0.10	LANDSCAPE/PUBLIC IMPROVEMENT/EASEMENT/DRAINAGE/UTILITY	FALCON HIGHLANDS METRO DISTRICT

OWNER:

CHALLENGER COLORADO LLC
8605 EXPLORER DRIVE #250
COLORADO SPRINGS, COLORADO 80920
BRIAN H. BAHR, OWNER
(719) 598–5192

SURVEYOR:

ATWELL, LLC
6200 S SYRACUSE WAY #475
GREENWOOD VILLAGE, COLORADO 80111
DANIEL MADRUGA, P.E.
(303) 462–1100

ENGINEER:

ATWELL, LLC
6200 S SYRACUSE WAY #475
GREENWOOD VILLAGE, COLORADO 80111
DANIEL MADRUGA, P.E.
(303) 462–1100

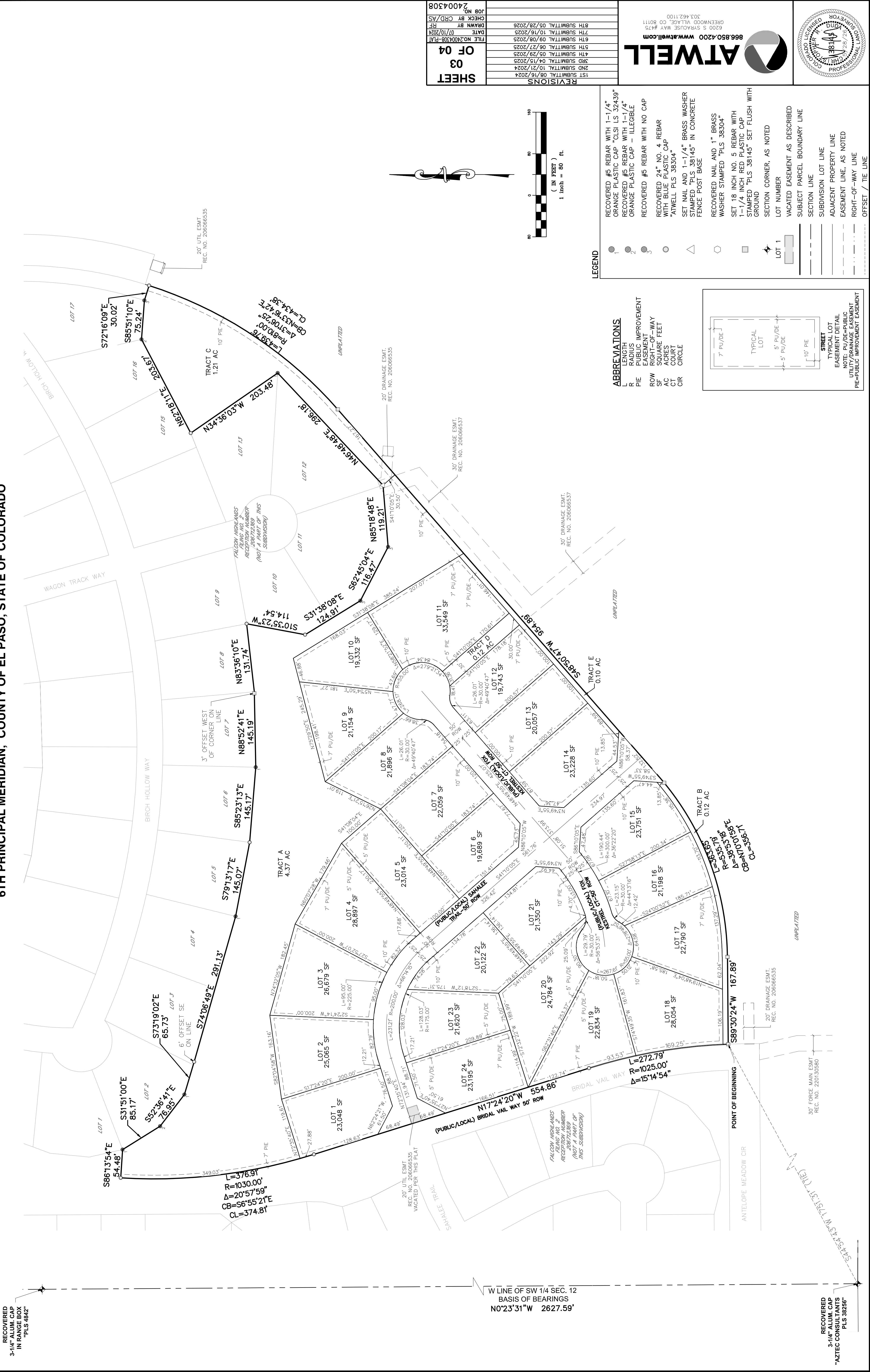
FILE NUMBER: SF2418



REVISIONS	
1ST SUBMITTAL	08/16/2024
2ND SUBMITTAL	10/21/2024
3RD SUBMITTAL	04/16/2025
4TH SUBMITTAL	05/29/2025
5TH SUBMITTAL	06/27/2025
6TH SUBMITTAL	09/08/2025
7TH SUBMITTAL	10/16/2025
8TH SUBMITTAL	05/28/2026
CHECK BY	CRD/AS
DRAWN BY	RF
DATE	07/10/2024
FILE NO.	24004308-PLAN
SHEET	01 OF 04
JOB NO.	24004308

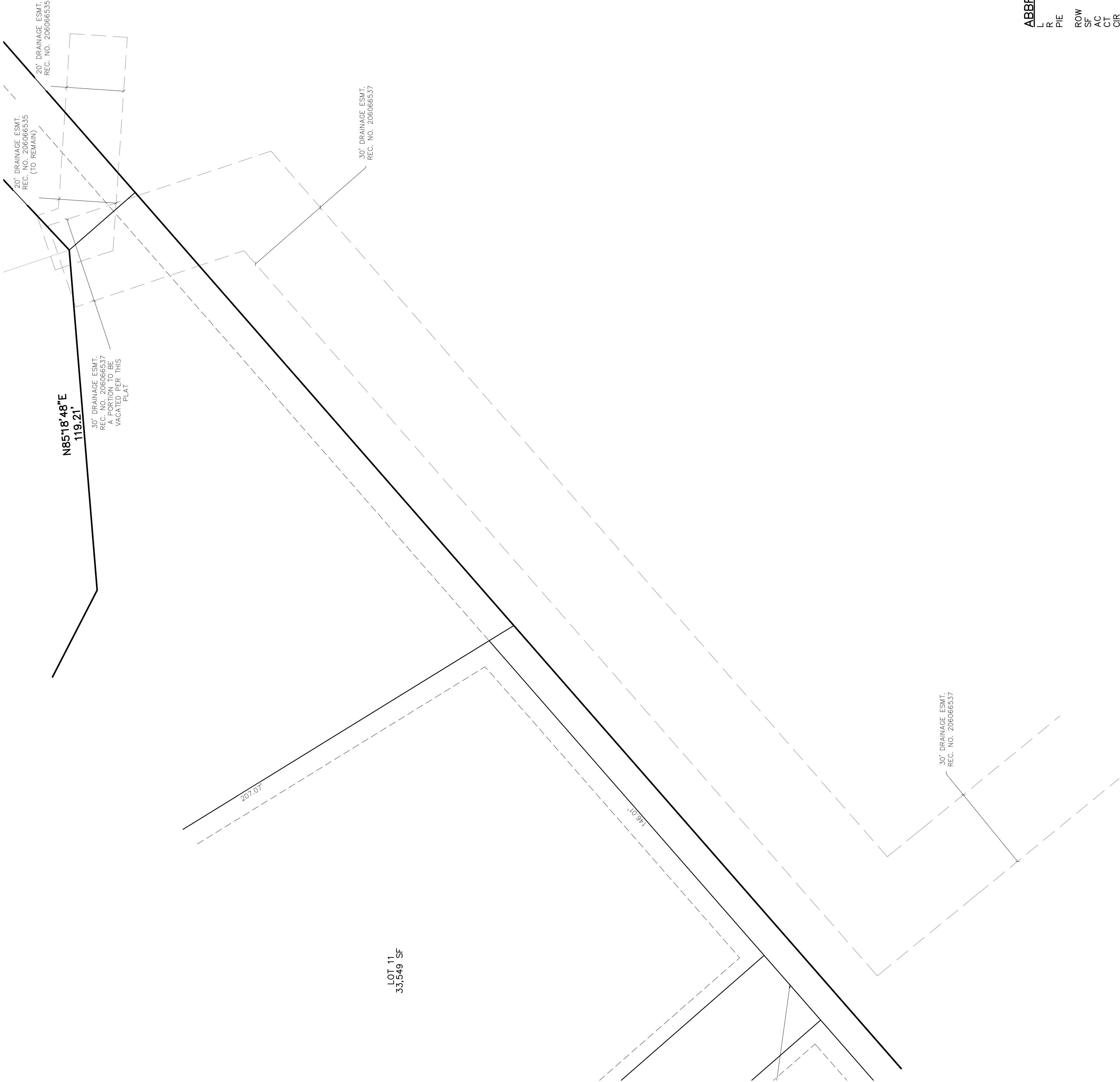
FALCON HIGHLANDS SOUTH FILING NO. 1

SITUATED IN THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO



FALCON HIGHLANDS SOUTH FILING NO. 1

SITUATED IN THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO

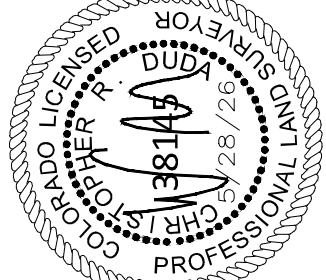


ABBREVIATIONS
L LENGTH
R RADIUS
PIE PUBLIC IMPROVEMENT
ROW RIGHT-OF-WAY
SF SQUARE FEET
AC ACRES
CIR CIRCLE

LEGEND

- 1 RECOVERED #5 REBAR WITH 1-1/4" ORANGE PLASTIC CAP - CLSI LS 32439"
- 2 RECOVERED #5 REBAR WITH 1-1/4" ORANGE PLASTIC CAP - ILLEGIBLE
- 3 RECOVERED #5 REBAR WITH NO CAP
- 4 RECOVERED 24" NO. 4 REBAR WITH BLUE PLASTIC CAP
- 5 "ATWELL PLS 38304"
- 6 SET NAIL AND 1-1/4" BRASS WASHER STAMPED "PLS 38145" IN CONCRETE FENCE POST BASE
- 7 RECOVERED NAIL AND 1" BRASS WASHER STAMPED "PLS 38304"
- 8 SET 18 INCH NO. 5 REBAR WITH 1-1/4 INCH RED PLASTIC CAP
- 9 STAMPED "PLS 38145" SET FLUSH WITH GROUND
- 10 SECTION CORNER, AS NOTED
- 11 LOT 1
- 12 VACATED EASEMENT AS DESCRIBED
- 13 SUBJECT PARCEL BOUNDARY LINE
- 14 SECTION LINE
- 15 SUBDIVISION LOT LINE
- 16 ADJACENT PROPERTY LINE
- 17 EASEMENT LINE, AS NOTED
- 18 RIGHT-OF-WAY LINE
- 19 OFFSET / TIE LINE

REVISIONS	
1ST SUBMITTAL 08/16/2024	
2ND SUBMITTAL 10/21/2024	
3RD SUBMITTAL 04/05/2025	
4TH SUBMITTAL 05/29/2025	
5TH SUBMITTAL 06/27/2025	
6TH SUBMITTAL 09/08/2025	
7TH SUBMITTAL 10/16/2025	
8TH SUBMITTAL 05/28/2026	
DRAWN BY CRD/AS	
DATE 07/10/2024	
FILE NO.24004308-PLAT	
JOB NO. 24004308	





October 17, 2024

Ashlyn Mathy, Project Manager
El Paso County Community & Development Services
Transmitted via email: ashlynmathy2@elpasoco.com

Re: Falcon Highlands South Filing No. 1 - Final Plat
Part of Case No. PUDSP225, Planned Unit Development
File No. SF2418
Part of SW ¼ of Section 12, Township 13 South, Range 65 West, 6th P.M.
Upper Black Squirrel Creek Designated Basin
Water Division 2, Water District 10

Dear Ashlyn Mathy:

We have reviewed the above-referenced proposal for Falcon Highlands South Filing No. 1 on approximately 23.6 acres in the SW ¼ of Section 12, Township 13 South, Range 65 West, 6th P.M. This filing proposes to plat 24 lots of the 378 lots known as Falcon Highlands Filing No. 3. The Applicant is requesting a finding of sufficiency of water supply for the 24 lots previously known as phase 4. The comments contained in this letter only address the water supply for the 24 lots described above and do not provide an opinion of adequacy on all phases of Filing 3.

The land within Filing No. 3 will be developed into 378 single-family residential lots, trail corridors, open space, park space, and for stormwater facilities in 4 phases on 125.56 acres. Falcon Highlands Filing No. 3 is part of the Falcon Highlands Sketch Plan, originally approved in 2004. The sketch plan encompassed 240 acres, most of which has been developed into single-family residential in Filing Nos. 1 and 2.

This office previously provided comments on the Falcon Highlands Filing No. 3 (referral no. 28927) on July 25, 2022 and specifically for Phase 1 of Filing No. 3 (referral no. 30472) on June 21, 2023.

Water Supply Demand

According to the Water Supply Information Summary Sheet provided, the estimated water demand for the 24 lots is 6,427 gallons per day or 7.68 acre-feet per year [24 single-family equivalents (SFEs)¹].

¹ The Applicant is using a conversion rate is 0.30 acre-feet per year per SFE (including residential irrigation) based on current use data from the Falcon Highlands Metropolitan District.



Source of Water Supply

The proposed water supply is service provided by the Falcon Highlands Metropolitan District (“District”). According to the letter dated July 1, 2024 from the District, included in the referral material, Filing No. 3 is within its boundaries and is eligible to receive water service. The letter commits to providing service for 24 SFEs for all lots within Filing No. 1.

The July 1, 2024 letter states that the District currently has a supply of 710 SFEs. The July 1, 2024 letter states that the District currently owns water rights to serve 710 single family equivalents¹ (“SFEs”). The District currently serves 450 SFEs. Of the remaining available 260 SFEs, approximately 50 SFEs can be produced by the current water production infrastructure. The provision of the remaining 210 SFEs will require the development of an additional well. Therefore, the uncommitted supply is adequate to serve the additional 24 SFEs; however the uncommitted supply is not adequate to serve all 378 SFEs associated with the entire Filing 3. The District is seeking additional water rights to meet its commitments, including the development of Arapahoe Well No. 2 and Laramie Fox Hills Well No. 3.

According to the August 21, 2024 Falcon Highlands Water Resources Report prepared by Atwell LLC (“Report”), the District owns and/or controls various Determinations of Water Rights water court decrees, as follows: nontributary and not-nontributary groundwater allocated under Determination of Water Right nos. 141-BD, 142-BD, and 143-BD; nontributary groundwater decreed in Division 2 Water Court case nos. 83CW134 and 01CW065; and not-nontributary groundwater decreed in case nos. 83CW133 (augmented in case no. 06CW102) and 83CW135. The District has constructed wells under the following permit nos.: 57949-F (Determination of Water Right no. 141-BD), 57950-F (Determination of Water Right no. 142-BD), and 66364-F (Div. 2 Case No. 83CW134).

According to the Report, the total supply available to the District based on a 100-year supply is 641.2 acre-feet per year or based on a 300-year water supply is 213.7 acre-feet per year (approximately 713 SFEs)², which does not account for relinquishment requirements.

According to information available to our office, the total supply available to the District based on a 100-year supply is 641.62 acre-feet per year or based on a 300-year water supply is 202.24 acre-feet per year³, which do not account for the relinquishment requirements. Accounting for the relinquishment requirements which sum to 15.9 acre-feet per year, our office calculates that the total supply available to the District based on a 100-year supply is 625.7 acre-feet/year. For nontributary (NT) designated groundwater allocated under Determination of Water Right nos. 141-BD and 142-BD, the relinquishment requirement was not accounted for by the Applicant because: “Roughly 90% of the water from the use of the NT water is discharged back into the UBS basin via the Woodmen Hills WWTP. Therefore much less than 98% of the water is actually consumed, and full withdrawal is allowable.” For purposes of this review, this calculation is acceptable so long as the District complies with the relinquishment requirement and all other conditions of applicable permits and

² Based on a conversion rate of 0.30 acre-feet per year per SFE.

³ This amount does not include the water available under the 06CW102 augmentation plan since the plan is only approved for a period of 100 years.

determinations. Additionally, the 34.90 acre-feet per year of water adjudicated in Division 1 Water Court case no. 83CW133 and augmented in case no. 06CW102 was augmented only for a period of 100 years, however the Applicant has counted this water as part of their 300-year supply. For purposes of this review, this office will not consider the 06CW102 augmented water in the District's 300-year supply until the augmentation plan is amended to allow withdrawal for a period of 300 years.

The *El Paso County Land Development Code*, Section 8.4.7.(B)(7)(b) states:

“(7) Finding of Sufficient Quantity

(b) Required Water Supply. The water supply shall be of sufficient quantity to meet the average annual demand of the proposed subdivision for a period of 300 years.”

The State Engineer's Office does not have evidence regarding the length of time for which this source will “meet the average annual demand of the proposed subdivision.” However, treating El Paso County's requirement as an allocation approach based on 300 years, the allowed average annual amount of withdrawal of 641.62 acre-feet/year would be reduced to one third of that amount, or 202.24 acre-feet per year³, which is greater than the total water demand on the District of 150 acre-feet per year, including the demand for Falcon Highlands South Filing No. 3 - Phase 1 (of which this referral is a part). As a result, the water may be withdrawn in that annual amount for a maximum of 300 years.

State Engineer's Office Opinion

Based upon the above and pursuant to sections 30-28-136(1)(h)(I) and 30-28-136(1)(h)(II), C.R.S., it is our opinion that the proposed water supply is **adequate** and can be provided **without causing injury** to decreed water rights.

Our opinion that the water supply is **adequate** is based on our determination that the amount of water required annually to serve the subdivision is currently physically available, based on current estimated aquifer conditions.

Our opinion that the water supply can be provided **without causing injury** is based on our determination that the amount of water that is legally available on an annual basis, according to the statutory allocation approach, for the proposed uses on the subdivided land is greater than the annual amount of water required to supply existing water commitments and the demands of the proposed subdivision.

Our opinion is qualified by the following:

The Ground Water Commission has retained jurisdiction over the final amount of water available pursuant to the above-referenced decree, pending actual geophysical data from the aquifer.

The amounts of water in the Denver Basin aquifer, and identified in this letter, are calculated based on estimated current aquifer conditions. The source of water is from a non-renewable aquifer, the allocations of which are based on a 100-year aquifer life. The county should be aware that the economic life of a water supply based on wells in a

given Denver Basin aquifer may be less than the 100 years (or 300 years) used for allocation due to anticipated water level declines. We recommend that the county determine whether it is appropriate to require development of renewable water resources for this subdivision to provide for a long-term water supply.

If you or the Applicant have any questions, please contact Ivan Franco at (303) 866-3581 x8243 or at Ivan.Franco@state.co.us

Sincerely,



Ioana Comaniciu, P.E.
Water Resource Engineer

Ec: Referral No. 32522
FHMD File
Upper Black Squirrel Ground Water Management District



EL PASO COUNTY

Office of the County Attorney
Civil Division

KENNETH R. HODGES, COUNTY ATTORNEY

Nathan J. Whitney, First Assistant County Attorney | Steven A. Klaffky, Chief Deputy County Attorney

August 27, 2025

SF-24-18 Falcon Highlands South Filing No. 1

Reviewed by: Lori L. Seago, Senior County Attorney
April Willie, Paralegal

WATER SUPPLY REVIEW AND RECOMMENDATIONS

Project Description

1. This is a proposal by Challenger Communities, LLC ("Applicant"), to subdivide an approximately 23.6 +/- acre tract of land (the "Property") into 24 residential lots. The property is zoned PUD (Planned Unit Development).

Estimated Water Demand

2. Pursuant to the *Water Supply Information Summary* ("WSIS"), the Applicant estimated its annual water needs to serve this subdivision demand at 7.2 acre-feet/year (0.30 acre-feet per lot per year) which includes residential irrigation. The Applicant must therefore be able to provide a supply of 2,160 acre-feet of water (7.2 acre-feet per year x 300 years) to meet the County's 300-year water supply requirement.

Proposed Water Supply

3. The Applicant has provided for the source of water to derive from the Falcon Highlands Metropolitan District ("District"). The *Water Resources Report* ("Report") indicates that District's water supply is sourced from the Denver, Arapahoe and Laramie-Fox Hills aquifers. The District's current developed physical supply is 202.2 acre-feet/300 years. The total water commitment is currently 142.7 acre-feet. There is thus a net excess of currently available water of 59.5 acre-feet/300 years.

4. The District provided a letter of commitment for Falcon Highlands South Filing No. 1 dated January 16, 2025, in which the District stated that "...the District is able to provide, based on current supply, 7.2 acre-feet of water to the proposed 24 single-family equivalents (SFEs) requested for Falcon Highlands South, Filing 1."

State Engineer's Office Opinion

5. In a letter dated October 17, 2024, the State Engineer reviewed the application for the subdivision of the 23.6-acre parcel into 24 residential lots. The State Engineer stated that the proposed supply of water is to be served by Falcon Highlands Metropolitan District. Further, the State Engineer stated that "...pursuant to sections 30-28-136(1)(h)(1) and 30-28-136(1)(h)(II), C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights."

Recommended Findings

6. Quantity and Dependability. Applicant's water demand for Falcon Highlands South Filing No. 1 is 7.2 acre-feet per year to be supplied by the Falcon Highlands Metropolitan District. **Based on the water demand of 7.2 acre-feet/year and the District's availability of water sources, the County Attorney's Office recommends a finding of sufficient water quantity and dependability for Falcon Highlands South Filing No. 1.**

7. Quality. The water quality requirements of Section 8.4.7.B.10 of the Code must be satisfied. Section 8.4.7.B.10.g. of the Code allows for the presumption of acceptable water quality for projects such as this where water is supplied by an existing Community Water Supply operating in conformance with Colorado Primary Drinking Water Regulations unless there is evidence to the contrary.

8. Basis. The County Attorney's Office reviewed the following documents in preparing this review: the *Water Supply Information Summary*, the *Water Resources Report* dated October 17, 2024, the Falcon Highlands Metropolitan District letter dated January 16, 2025, and the State Engineer Office's Opinion dated October 17, 2024. The recommendations herein are based on the information contained in such documents and on compliance with the requirements set forth below. ***Should the information relied upon be found to be incorrect, or should the below requirements not be met, the County Attorney's Office reserves the right to amend or withdraw its recommendations.***

REQUIREMENTS:

- A. Applicant and all future owners of lots within this filing shall be advised of, and comply with, the conditions, rules, regulations, limitations, and specifications set by the District.

cc. Ryan Howser, Project Manager, Planner

OPPOSE

Name: Kathryn

Date: 8/11/2026 7:19 PM

Please accept the attached pdf as my written public comment regarding SF2418 and include it in the official project record and materials provided to the Planning Commission.

I am writing regarding SF2418, Falcon Highlands South Filing No. 1. I respectfully ask the Planning Commission to carefully evaluate several unresolved technical issues before recommending approval of this final plat.

My concern is not opposition to development in general. Rather, the record for this property and the surrounding Falcon Highlands area raises specific questions regarding water supply, groundwater, underdrain performance, drainage, and infrastructure that should be clearly answered before additional residential lots are approved.

First, I ask the County to fully address water sufficiency. When the larger Falcon Highlands South development was approved, the determination of water quantity, quality, and dependability was deferred to the final-plat stage. SF2418 is therefore one of the points at which the County must make that determination.

The documents for this filing indicate that Falcon Highlands Metropolitan District intends to provide approximately 7.2 acre-feet of water annually for 24 homes. However, previous water-planning materials for the district indicated that additional taps should not be added unless actual operating information demonstrated that maximum-day demand remained within available well-production capacity.

I therefore respectfully request that the applicant and the water district provide current operating data demonstrating that adequate physical water-production capacity exists for these additional homes, including during peak-demand conditions.

I would also like clarification as to whether the water capacity identified for these 24 lots is actually reserved for SF2418. Some of the water-service documentation appears to acknowledge that the issuance of a service commitment does not necessarily guarantee that water will remain available when individual taps are ultimately purchased. If that is correct, I ask the County to explain how it can presently make a finding that the water supply is dependable for these lots.

Second, groundwater conditions deserve particularly close scrutiny.

The applicant's own groundwater monitoring documented shallow groundwater at portions of the site, including a reported depth of approximately 3.8 feet below ground at monitoring point P1 during June and approximately 4.0 feet during July. The proposed final plat itself acknowledges high groundwater by requiring underground drainage systems for foundations.

These measurements demonstrate that high groundwater is not merely a hypothetical concern.

I therefore ask the applicant to identify the highest groundwater elevations measured across the property and explain the proposed vertical separation between those groundwater elevations and foundations, roadways, utilities, detention facilities, crawlspaces, and any proposed basements.

The groundwater information available in the project record also appears to contain measurements ending in approximately October 2024. Because the Planning Commission is considering the project in August 2026, I request clarification regarding whether groundwater monitoring continued through 2025 and 2026.

If newer measurements exist, I respectfully request that they be placed into the public record before approval. If monitoring did not continue, I ask the applicant and County staff to explain why data

approaching two years old is considered sufficient to evaluate present groundwater conditions.

Third, I believe the Commission should closely examine the proposed underdrain system and its relationship to the existing Falcon Highlands infrastructure.

The existing Falcon Highlands neighborhood has a documented history of high groundwater and underdrain problems. El Paso County and the Falcon Highlands Metropolitan District have undertaken significant repair efforts, and underdrain work has continued into 2026.

The new development also proposes underground drainage to control groundwater around the proposed homes.

An underdrain does not eliminate groundwater; it transfers that water to another location. Therefore, I respectfully ask the applicant to clearly identify the complete drainage path for groundwater generated or intercepted within SF2418.

Where will foundation drains discharge?

Where will roadway underdrains discharge?

Will any portion of the new system connect directly or indirectly to the existing Falcon Highlands underdrain system?

What is the ultimate discharge point?

What analysis demonstrates that the downstream system has adequate hydraulic capacity for the additional groundwater contribution from these homes?

I also ask the applicant to explain the failure condition. If an underdrain becomes obstructed, damaged, overwhelmed, or otherwise loses capacity, where will the groundwater go, and what measures prevent that water from affecting existing properties?

This question is particularly important given the documented history of underdrain repairs in the surrounding neighborhood.

I further request clarification regarding residential foundations. Will basements or crawlspaces be permitted within SF2418? If so, what minimum separation from seasonal high groundwater will be required?

I encourage the Commission to consider requiring a site-specific geotechnical and groundwater evaluation for each individual residential lot before issuance of a building permit rather than assuming that groundwater conditions are uniform throughout the subdivision.

Traffic should also be considered on a cumulative basis.

I understand that the applicant's traffic conformance analysis relies substantially on earlier traffic studies prepared for the larger Falcon Highlands South development rather than solely on new 2026 traffic counts for this filing. Although 24 homes by themselves may represent a relatively small traffic increase, SF2418 is part of a substantially larger approved development.

I therefore ask County Engineering to confirm on the record that the traffic volumes, growth assumptions, intersection conditions, and roadway-capacity assumptions used in the earlier analysis remain

representative of current 2026 conditions and of the cumulative buildout of Falcon Highlands South.

Finally, I request clarification regarding the number of lots being considered.

Multiple applicant documents describe SF2418 as a 24-lot detached single-family subdivision. However, the County's public project page has described the application as involving 50 single-family detached residential lots.

Before any recommendation is made, I ask the County to state clearly on the record exactly what is being approved under SF2418 and explain the discrepancy between the public project description and the submitted final-plat materials.

Again, I am not asking the Commission to assume that the development will cause groundwater problems, that the water system is inadequate, or that the project cannot be constructed safely.

I am asking that those conclusions be demonstrated with current evidence before approval.

The surrounding area already has documented shallow groundwater and a history of underdrain problems. The applicant's own data confirms shallow groundwater within the proposed development. The final plat itself recognizes the need for underground foundation drainage. In addition, the County specifically deferred its water-sufficiency determination to the final-plat stage.

Given those circumstances, these issues deserve more than general assurances.

I respectfully request that the Planning Commission require clear, current, and technically supported answers regarding water-production capacity, groundwater elevations, underdrain capacity and discharge, foundation design, and cumulative infrastructure impacts before recommending approval of SF2418.

Thank you for your time and consideration and for ensuring that the long-term impacts on both future residents and existing Falcon Highlands property owners are fully evaluated before a decision is made.

FINAL PLAT (RECOMMEND APPROVAL)

_____ moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. SF2418
FALCON HIGHLANDS SOUTH FILING NO. 1

WHEREAS, Challenger Communities, LLC did file an application with the El Paso County Planning and Community Development Department for approval of a Final Plat for the Falcon Highlands South Filing No. 1 Subdivision for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by this Commission on August 20, 2026; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the Master Plan for the unincorporated area of the County, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, and comments by the El Paso County Planning Commission members during the hearing, this Commission finds as follows:

1. The application was properly submitted for consideration by the Planning Commission;
2. Proper posting, publication, and public notice were provided as required by law for the hearing before the Planning Commission;
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons and the general public were heard at that hearing;
4. All exhibits were received into evidence;
5. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations.

6. For the above-stated and other reasons, the proposed Final Plat is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, this Commission further finds that the request meets the criteria for approval outlined in Section 7.2.1.D.3.f of the Land Development Code ("Code") (as amended), as follows:

1. The Subdivision is in conformance with the goals, objectives, and policies of the Master Plan;
2. The Subdivision is in substantial conformance with the approved Preliminary Plan;
3. The Subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials;
4. A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of Subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. § 30-28-133(6)(a)] and the requirements of Chapter 8 of the Code;
5. A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations [C.R.S. § 30-28-133(6)(b)] and the requirements of Chapter 8 of the Code;
6. All areas of the proposed Subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed Subdivision is compatible with such conditions [C.R.S. § 30-28-133(6)(c)];
7. Adequate drainage improvements are proposed that comply with State Statute [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of the Code and the Engineering Criteria Manual ("ECM");
8. Legal and physical access is provided to all parcels by public rights-of-way or recorded easement acceptable to the County in compliance with the Code and the ECM;
9. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed Subdivision;
10. The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code;
11. Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the Subdivision in accordance with applicable requirements of Chapter 8 of the Code;

12. Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed Subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the Subdivision will be adequately mitigated;
13. The Subdivision meets other applicable sections of Chapter 6 and 8 of the Code;
14. The extraction of any known commercial mining deposit shall not be impeded by this Subdivision [C.R.S. §§ 34-1-302(1), et seq.]; and

WHEREAS, a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of Subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. § 30-28-133(6)(a)] and the requirements of Chapter 8 of the Code;

NOW, THEREFORE, BE IT RESOLVED, that the El Paso County Planning Commission recommends that the petition of Challenger Communities, LLC, for approval of a Final Plat for the Falcon Highlands South Filing No. 1 Subdivision meets the criteria for approval outlined in Section 7.2.1.D.3.f of the Land Development Code and be approved by the Board of County Commissioners with the following conditions and notations:

CONDITIONS

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.
2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer's Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat, a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.
3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the Final Plat.
4. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the appropriate El Paso County staff.
5. The Subdivision Improvements Agreement, including the Financial Assurance Estimate, as approved by the El Paso County Planning and Community Development Department, shall be filed at the time of recording the Final Plat.

6. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the Final Plat is recorded.
7. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, dated August 27, 2025, as provided by the County Attorney's Office.
8. All outstanding staff comments shall be addressed prior to Final Plat recordation.

NOTATIONS

1. The following fees are required to be paid to El Paso County at the time of Final Plat recordation:
 - a. Drainage Fees in the amount of \$137,643.84 and bridge fees in the amount of \$56,299.08 for the Sand Creek drainage basin.
 - b. Park fees in lieu of land dedication in the amount of \$12,120.00 for regional parks (Area 2) and park fees in lieu of land dedication in the amount of \$7,272.00 for urban parks (Area 3).
 - c. Fees in lieu of school land dedication in the amount of \$5,760.00 shall be paid for the benefit of Falcon School District No. 49.
2. Final Plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired unless an extension is approved.
3. Site grading or construction, other than installation or initial temporary control measures, may not commence until a Preconstruction Conference is held with Planning and Community Development Inspections and a Construction Permit is issued by the Planning and Community Development Department.
4. Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with Resolution No. 25-337), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at Final Plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.

BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein shall be forwarded to the El Paso County Board of County Commissioners for its consideration.

_____ seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows: (circle one)

Thomas Bailey
Blaine Brew

aye / no / non-voting / recused / absent
aye / no / non-voting / recused / absent

Michael Brewer	aye / no / non-voting / recused / absent
Sarah Brittain Jack	aye / no / non-voting / recused / absent
Jim Byers	aye / no / non-voting / recused / absent
Suzanne Casagrande	aye / no / non-voting / recused / absent
Mae Emrick	aye / no / non-voting / recused / absent
Eric Moraes	aye / no / non-voting / recused / absent
Bryce Schuettpelz	aye / no / non-voting / recused / absent
Tim Trowbridge	aye / no / non-voting / recused / absent
Christopher Whitney	aye / no / non-voting / recused / absent
Jason Wulf	aye / no / non-voting / recused / absent

The Resolution was adopted by a vote of ____ to ____ by the El Paso County Planning Commission, State of Colorado.

DONE THIS 20th day of August, 2026, at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: _____
Chair

EXHIBIT A

PROPERTY DESCRIPTION - FALCON HIGHLANDS SOUTH FILING NO. 1

A PARCEL OF LAND LOCATED WITHIN SECTION 12, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST ONE-QUARTER

OF SECTION 12, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, MONUMENTED AT THE SOUTH END (SOUTHWEST CORNER OF SAID SECTION 12) BY A RECOVERED 3-1/4 INCH ALUMINUM CAP STAMPED "AZTEC CONSULTANTS PLS 38256" AND AT THE NORTH END (WEST ONE-QUARTER CORNER OF SAID SECTION 12) BY A RECOVERED 3-1/4" ALUMINUM CAP IN RANGE BOX STAMPED "PLS 4842", WHICH IS ASSUMED TO BEAR NORTH 00°23'31" WEST 2,627.59 FEET, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF FALCON HIGHLANDS FILING NO. 2, RECORDED JULY 14, 2006 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER UNDER RECEPTION NUMBER 206712369, FROM WHENCE THE SOUTHWEST CORNER OF SAID SECTION 12 BEARS SOUTH 44°54'43" WEST 1,751.31 FEET;

THENCE ALONG THE EXTERIOR OF SAID FALCON HIGHLANDS FILING NO. 2, THE FOLLOWING (21) TWENTY-ONE COURSES:

1. ALONG THE ARC OF A 1,025.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 15°14'54", WHOSE CHORD BEARS NORTH 09°47'43" WEST A DISTANCE OF 271.98 FEET, AND AN ARC LENGTH OF 272.79 FEET;
2. NORTH 17°24'20" WEST 554.86 FEET TO A POINT OF CURVE;
3. ALONG THE ARC OF A 1,030 FOOT RADIUS TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 20°57'59" AND AN ARC LENGTH OF 376.91 FEET;
4. SOUTH 86°13'54" EAST 54.48 FEET;
5. SOUTH 31°51'00" EAST 85.17 FEET;
6. SOUTH 52°36'41" EAST 76.95 FEET;
7. SOUTH 73°19'02" EAST 65.73 FEET;
8. SOUTH 74°06'49" EAST 291.13 FEET;
9. SOUTH 79°13'17" EAST 145.07 FEET;
10. SOUTH 85°23'13" EAST 145.17 FEET;
11. NORTH 88°52'41" EAST 145.19 FEET;
12. NORTH 83°36'10" EAST 131.74 FEET;
13. SOUTH 10°35'23" WEST 114.54 FEET;
14. SOUTH 31°38'08" EAST 124.91 FEET;
15. SOUTH 62°45'04" EAST 116.47 FEET;
16. NORTH 85°18'48" EAST 119.21 FEET;

17. NORTH $46^{\circ}48'48''$ EAST 296.18 FEET;
18. NORTH $34^{\circ}36'03''$ WEST 203.48 FEET;
19. NORTH $62^{\circ}18'11''$ EAST 203.67 FEET;
20. SOUTH $85^{\circ}51'10''$ EAST 75.24 FEET;
21. SOUTH $72^{\circ}16'09''$ EAST 30.02 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT;

THENCE ALONG THE ARC OF AN 810.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF $31^{\circ}06'25''$, WHOSE CHORD BEARS SOUTH $33^{\circ}16'42''$ WEST A DISTANCE OF 434.38 FEET, AND AN ARC LENGTH OF 439.76 FEET;

THENCE SOUTH $48^{\circ}50'47''$ WEST 954.89 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A 535.79 FOOT RADIUS TANGENT CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF $38^{\circ}53'18''$ AND AN ARC LENGTH OF 363.66 FEET;

THENCE SOUTH $89^{\circ}30'24''$ WEST 167.89 FEET TO THE POINT OF BEGINNING.

CONTAINING 20.874 ACRES (909,268 SQUARE FEET), MORE OR LESS.